

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 12753 of 2004

Between:

Abdul Salam, S/o.Late Abdul Subhan,
R/o.H.No. 13-106 to 109, (Harijanawada), Indira Nagar, Dharmavaram,
Anantapur District.

..... PETITIONER

AND

The Commissioner, Dharmavaram Municipality,
Dharmavaram, Anantapur District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, particularly one in the nature of Mandamus, declaring the action of the respondent in not renewing the licence for the sale of Beef in the Premises bearing D.No. 13-109, situated at Harijanawada, Indira Nagar, Dharmavaram, Anantapur District as being illegal, arbitrary and violative of Article 19(1)(g) of the Constitution of India, and further direct the respondent herein to renew the licence for the sale of the Beef by the Petitioner forthwith; and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case; as otherwise the petitioner will be put to serious and irreparable loss and prejudice.

For the Petitioner: MRSYED SHAREEF AHMED, Advocate

For the Respondent: MR.K.M.MAHENDER REDDY, Standing Counsel for Municipality

The Court at the stage of admission made the following ORDER:

Petitioner claims to be owner of the premises bearing No.

13-106 to 109 situated at Indira Nagar, Dharmavaram. He is doing the business in beef in the said premises after obtaining a licence from the Dharmavaram Municipality. For renewal of the said licence for the year 2004-2005, he has obtained a Demand Draft for Rs.250/- and submitted the same to the respondent. But so far, no orders have been passed.

In spite of papers were served on the respondent, none represents.

In view of the fact that the petitioner was already granted a licence for the previous years and doing the business, the respondents are hereby directed to pass appropriate orders on the requisition made by the petitioner for renewal of his licence. If the respondent notified any area, where such business being carried out and continuing the business in the premises not permissible under the byelaws of the Municipality, it is always open to the respondent to intimate the same to the petitioner. Till such an order, the respondent shall not interfere with the petitioner's business.

With the above directions, the writ petition is disposed of. No costs.

22nd JULY, 2004.

Note: furnish c.c. in three days.

B/o

kvni

To

1 The Commissioner, Dharmavaram Municipality,
Dharmavaram, Anantapur District.

2 Two CD copies.